IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No. 6340 of 2005

Between:

E. Sanjeeva Rao, S/o. Yesuratnam,
R/o H.No.3-5-341, Pumping Well Road, Khammam,
Khammam District.

..... PETITIONER

AND

1 The District Collector/Chairman,

PIC, D.C.C.B., Khammam District at Khammam.
2 The District Cooperative Officer, Khammam District at Khammam.
3 The District Cooperative Central Bank Limited,

Khammam rep. by its General Manager.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 3rd respondent in issuing the impugned proceedings Rc.No.3298/Estt./F.No.107/2004-2005, dt. 8.12.2004 as highly illegal, arbitrary and violative of Art. 14 of the Constitution of India and consequently set aside the same and pass such other order or orders.

Counsel for the Petitioner: Mr. G.V.SHIVAJI

Counsel for Respondent No.2: GP FOR COOPERATION

Counsel for Respondent No.3: Mr. P.M.GOPAL RAO

The Court made the following :

ORAL ORDER:

Heard both sides.

This writ petition is filed against an order of suspension, pending enquiry into the allegation of misappropriation of funds by the petitioner.

The petitioner has not made out any case as to the jurisdiction of the third respondent in placing the petitioner under suspension, or has raised any other legal aspects. It is well settled that suspension pending enquiry is not a punishment and is invoked for the purpose of smooth enquiry. The writ petition cannot be entertained at this stage and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed at the admission stage.

28-4-2005

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector/Chairman,

PIC, D.C.C.B., Khammam District at Khammam.
2 The District Cooperative Officer, Khammam District at Khammam.
3 The General Manager, District Cooperative Central Bank Limited,

Khammam.

4 2 CCs to Government Pleader for Cooperation, High Court Buildings, Hyderabad (OUT)

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